



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Attorney Docket No.: 44046.203.113.1.9

KRISKO, et al.

Application No.: 09/868,543

Examiner: Piziali, A.

Filed: January 15, 2002

Group Art Unit: 1775

For: LOW-EMISSIVITY, SOIL RESISTANT COATINGS FOR GLASS SURFACES

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

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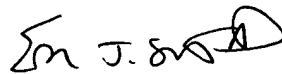
This communication is filed in response to the Office Action of July 16, 2002 (Paper No. 10), the period for response to which has been extended to September 16, 2002 by the accompanying Petition for Extension of Time. Applicants, through their attorney, elect the invention of Group I, claims 1-10, with traverse.

Applicants traverse the restriction requirement on the grounds that no serious burden on the Examiner exists. If the search and examination of an entire application can be made without serious burden, it must be examined on the merits even though it includes claims directed to distinct or independent invention. M.P.E.P § 803. The subject matter of Groups I and II are believed sufficiently related that a thorough search for the subject matter of either group would encompass a search for the subject matter of both groups. To avoid duplicative examination by the Patent Office and unnecessary delay and expense to Applicants, Applicants respectfully request examination on the merits of all the claims, not just those of Group I.

Furthermore, Applicants submit that if a determination of an allowable generic claim is issued, for instance the determination of allowability of claim 1 in the present application, claims that are written in dependant form or otherwise include all the limitations of the allowed generic claim should be considered. M.P.E.P. § 809.02(c). Therefore, Applicants respectfully request that the Examiner consider rejoining the method of preparation claims of Group II and the article claims of Group I upon a finding of allowability of the claims of Group I.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 06-1910.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on

12 September 2002
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Madelyn E. Thompson
Madelyn E. Thompson

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